



# UNITED STATES PATENT AND TRADEMARK OFFICE

*len*  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,972	03/26/2004	Gary Kaminski	34603	9653

7590 10/05/2006  
HOVEY WILLIAMS LLP  
Suite 400  
2405 Grand Blvd.  
Kansas City, MO 64108

EXAMINER

LE, THANH TAM T

ART UNIT	PAPER NUMBER
----------	--------------

2839

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/810,972

Applicant(s)

KAMINSKI ET AL.

Examiner

Thanh-Tam T. Le

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17 and 27 is/are rejected.
- 7) ☒ Claim(s) 16 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/7/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, ***claim 17, "a main body having a plurality of slots, and a cover having a plurality of protrusions"*** and claim 27, ***"a second gasket"*** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 17-23 and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation "a main body having a plurality of slots, and a cover having a plurality of protrusions" and "a second gasket" are not described in the specification.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2839

6. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Fahl (6,824,423).

Fahl, figures 2-4 show a wiring receiving that may be mounted to a vehicle without the use of tools, the receiver comprising:

- a plurality of terminals (36) for transferring a plurality of electrical signals;
- a main body (78) substantially housing the terminals; and
- a contact surface (62b) operable to contact the main body and rotate about at least a portion of the main body, thereby mounting the main body to the vehicle.

Regarding claim 2, the main body including a substantially cylindrical receptacle that houses the terminals.

Regarding claim 3, the contact surface rotates about the cylindrical receptacle.

Regarding claim 4, the contact surface engaging protrusions (76) extending from the main body.

Regarding claim 7, the contact surface including a plurality of substantially arcuate slots (74).

Regarding claim 8, figure 4 shows each slot including an enlarged opening at one end.

Regarding claim 9, the slots may be slid around protrusions extending from the main body in order to secure the cover plate to the main body, thereby mounting the receiver to the vehicle.

Art Unit: 2839

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Odbert (4,940,424).

Regarding claim 1, Odbert, figures 1 and 2 show a wiring receiving that may be mounted to a vehicle without the use of tools, the receiver comprising:

- a plurality of terminals (10) for transferring a plurality of electrical signals;
- a main body (18) substantially housing the terminals; and
- a contact surface (22) operable to contact the main body and rotate about at least a portion of the main body, thereby mounting the main body to the vehicle.

Regarding claim 5, the contact surface is integral with a substantially conical cover (20) that including a cable seal (56).

8. Claims 10 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe (6,364,681).

Regarding claim 10, Watanabe, figures 1 and 6 show a wiring receiver comprising:

- a plurality of terminals (W2);
- a main body (20) substantially housing the terminals and having a first contact surface (22) facing a first direction and a plurality of protrusions (24) extending from the contact surface, the protrusions being arranged to be inserted through a traditional mounting bracket (40) of the towing vehicle; and

Art Unit: 2839

- a cover (10 and 30) operable to engage the protrusions, rotate about at least a portion of the main body, and slide along the protrusions, thereby mounting the main body to the vehicle.

Regarding claim 13, figure 1 shows the cover including a second contact surface (31) having a plurality of slots (36 and 39) and facing a second direction which is substantially opposite to the first direction.

Regarding claims 14 and 15, figure 5a shows the slots are substantially arcuate and each slot including an enlarged opening at one end.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Odbert (4,940,424) in view of Bachman (6,582,248).

Odbert discloses the claimed invention as described above except for the cable seal including a cylindrical portion having exterior threads, a resilient conical grommet and an interiorly threaded end-cap.

Bachman, figure 3 shows a durable RJ-45 data connector assembly (10) having a chuck (18), boot (26) and bushing (34) that read on a cylindrical portion, a resilient conical grommet and interiorly threaded end-cap, respectively. It would be obvious to

Art Unit: 2839

one with ordinary skill in the art at the time the invention was made to provide Odbert to have the structure of the connector assembly, as taught by Bachman for protecting a cable connector from damage or abuse during insertion into a mating cable.

11. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe (6,364,681) in view of Bachman (6,582,248).

Watanabe discloses the claimed invention as described above except for a cable seal.

Bachman, figure 3 shows a durable RJ-45 data connector assembly (10) having a cable seal. It would be obvious to one with ordinary skill in the art at the time the invention was made to provide Watanabe to have the structure of the connector assembly, as taught by Bachman for protecting a cable connector from damage or abuse during insertion into a mating cable.

Regarding claim 12, it is noted that Bachman discloses the cable seal including a cylindrical portion (18) having exterior threaded, a resilient conical grommet (26) sized to fit snugly into the cylindrical portion, and an interiorly threaded end-cap (34) for holding the grommet in place.

12. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe (6,364,681) in view of Bachman (6,582,248) and Engert (3,790,698).

Regarding claim 24, Watanabe and Bachman disclose the claimed invention as described as claims 10 and 11 above, except for a resilient gasket between the main body and the bracket.

Art Unit: 2839

Engert, figure 1 shows a detachable bushing having a sealing member (42). It would be obvious to one with ordinary skill in the art at the time the invention was made to provide Watanabe to have the sealing member, as taught by Engert, in order to prevent electrical terminals extending from the interior of the tank (Engert, column 1, lines 2-5).

Regarding claim 25, Watanabe discloses each of the slots including an enlarged opening at one end.

***Allowable Subject Matter***

13. Claims 16 and 26 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is an examiner's statement of reasons for allowance:

None of the reference of record discloses the at least a portion of the bracket is sandwiched between the contact surfaces of the main body and the cover.

15. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thanh-Tam T. Le  
Primary Examiner  
Art Unit 2839

TL.  
09/28/06.